

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AMERICAN GNC CORPORATION,

Plaintiff,

v.

NINTENDO CO. LTD., and NINTENDO  
OF AMERICA, INC.,

Defendant.

CASE NO. 2:23-cv-00302-TL

ORDER MAINTAINING STAY

This matter is before the Court on the Parties' Joint Status Report ("JSR"). Dkt. No. 56. On September 10, 2024, the Patent Trial and Appeal Board ("PTAB") instituted *inter partes* review as to all asserted claims of both patents. *See* Dkt. Nos. 56-1, 56-2 (decisions). Final written decisions are due by September 10, 2025. *See* Dkt. No. 56-3 (scheduling order). The Parties agree that this matter should remain stayed, but they disagree on what discovery should be permitted to proceed. *Compare* Dkt. No. 56 at 2–6, *with id.* at 7–10.

Accordingly, having reviewed the JSR and the relevant record, it is hereby ORDERED:

(1) Plaintiff may proceed with international discovery from ST Microelectronics.

1 (2) If appropriate, Plaintiff may file a motion to compel Defendant's responses to  
2 Interrogatories 13 and 14.

3 (3) Any dispute regarding discovery before the PTAB is for the PTAB to address, and  
4 Plaintiff should file a motion there if appropriate.

5 (4) The Parties SHALL meet and confer and file a joint status report **within thirty (30)**  
6 **days** of a final written decision from the PTAB or other termination of the action.

7 (5) In all other respects, this matter remains STAYED.

8 Dated this 26th day of September 2024.

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11 Tana Lin  
12 United States District Judge  
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